
SENATE BILL No. 370

DIGEST OF INTRODUCED BILL

Citations Affected: P.L.23-2006, SECTION 1.

Synopsis: Medicaid income spend down pay-in option. Requires (instead of allows) the office of Medicaid policy and planning to apply to the federal government for an amendment to the state's Medicaid plan to allow a Medicaid recipient to elect to participate in the pay-in option in the state's Medicaid spend down program.

Effective: Upon passage.

Simpson

January 11, 2007, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 370

A BILL FOR AN ACT concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. P.L.23-2006, SECTION 1, IS AMENDED TO READ
2 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 1. (a) As
3 used in this SECTION, "office" refers to the office of Medicaid policy
4 and planning established by IC 12-8-6-1.
5 (b) As used in this SECTION, "pay-in option" refers to the method
6 allowed under 42 U.S.C. 1396b under which a Medicaid recipient may
7 satisfy a state's income spend down requirements by paying to the state
8 the spend down amount each month.
9 (c) Before ~~June 1, 2006~~, **June 1, 2007**, the office ~~may~~ **shall** apply to
10 the United States Department of Health and Human Services to amend
11 the state's Medicaid plan to allow a Medicaid recipient to elect to
12 participate in the pay-in option in the state's Medicaid spend down
13 program allowed under 42 U.S.C. 1396b.
14 (d) The office may not implement the amendment described in
15 subsection (c) until the office files an affidavit with the governor
16 attesting that the amendment applied for under this SECTION is in
17 effect. ~~If the office applies for the amendment described in this~~
18 ~~SECTION~~, The office shall file the affidavit under this subsection not



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1 later than five (5) days after the office is notified by the United States
2 Department of Health and Human Services that the amendment is
3 approved.
4 (e) If the office receives approval for the amendment under this
5 SECTION and the governor receives the affidavit filed under
6 subsection (d), the office ~~may~~ **shall** implement the amendment.
7 (f) The office may adopt rules under IC 4-22-2 necessary to
8 implement this SECTION.
9 (g) This SECTION expires December 31, 2013.
10 SECTION 2. **An emergency is declared for this act.**

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